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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,149

09/25/2006

Tetsuro Shimamura

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EXAMINER

JEN, MINGJEN

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

05/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/594,149	Applicant(s) SHIMAMURA, TETSURO	
	Examiner IAN JEN	Art Unit 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/09/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/25/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant election without traverse of species II in the response filed on 04/09/2008 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1- 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (US Pat No 5699056) in view of Berezovsky (US Pat No 6175313).

As per Claim 1, 5, Yoshida shows a map information display control device which control a display unit to display the map information (Fig 2, Fig 3, Col 9, lines 55- Col 12, lines 20), comprising: a map information acquirer which acquires map information (Fig 2, GPS receiver 22, receiver 12) ; an information acquirer which acquires map component information forming the map information with at least one of traffic information relating to a traffic status or feature information relating to a feature (abstract, Fig 3, accident button 31A, traffic jam button 31B; Col 13, lines 40 – Col 15, lines 50, Fig 18); a time information acquirer which acquires time

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information relating to a time when the map component information is acquired (Fig 15, Step 102, 104; Col 5,lines 20 - 60); a timer which counts an elapsed time up to a current time based on the time information (Fig 15, Step 101, Col 5,lines 45 – Col 6,lines 30, clocking means, claim 10); display controller, map information, map component information, elapsed time period, predetermined time period (Fig 2, Fig 3, Col 9, lines 55- Col 12, lines 20); information containing time information relating to a time when the map component information is generated (Fig 15, Step 101, Col 5,lines 45 – Col 6,lines 30, clocking mean). Yoshida does not show a controller superpose the information relating to the time having exceeded a time period on information in a display pattern with higher transparency than the information relating to time not having exceeded the time period.

Berezovsky shows controller superpose the information relating to the time having exceeded a time period on information in a display pattern with higher transparency than the information relating to time not having exceeded the time period (abstract, Fig 1 – Fig 3; Col 4, lines 40 – Col 6, lines 30).

It would have been obvious for one of ordinary skill in the art, to provide transparency variation means with respect to time for display, as taught by Berezovsky, to Yoshida, in order to provide improved visual signification at the time of the invention.

As per Claim 2, 6, Yoshida shows the display controller changes the display pattern of the map component information of the information relating to the elapsed time having exceeded the predetermined time period (Fig 15, Step 101, Step 102; Col 2, lines 20 – 55; Col 4, lines 20 – 45).

As per Claim 3, 4, Yoshida shows the time information acquirer associates the time information with the map component information to generate a single piece of information and acquires the current time counted by the timer at a time when the information acquirer acquires the map component information as the time information (Fig 15, Step 101, Col 5,lines 45 – Col 6,lines 30, clocking means, claim 10).

As per Claim 7 – 10, Yoshida shows a map information storage which stores the map information; and an information storage which can store plural pieces of information, in each piece the map component information and the time information being associated; the information storage stores the plural pieces of information by associating unique identification information with each type of the map component information and the plural pieces of information by associating unique identification information with each type of the map component information. (Fig 9, Center Computer 50, Fig 17, area id with respect to area id with preceding data, time, position, vehicle speed; Col 15, lines 20 – Col 16, lines 65; Col 17, lines 35 – col 19, lines 55).

As per Claim 11, 12, Yoshida shows when information acquirer acquires map component information same as one of stored plural pieces of information, information storage conducts an updating by replacing the one of stored plural pieces of information with one piece of information associated with time information corresponding to the same map component information (Fig 8, transmitter 41, Fig 9, transmitter 51, Fig 62.63).

As per Claim 13, 14, Yoshida shows when recognizing the updating the display controller displays the map component information relating to the replaced information in a

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different pattern from the other map component information (Fig 9, Center Computer 50, Fig 17, area id with respect to area id with preceding data, time, position, vehicle speed; Col 15, lines 20 – Col 16, lines 65; Col 17, lines 35 – col 19, lines 55).

As per Claim 15, 16 Yoshida shows the display controller. Yoshida does not show controller displays such that a difference in transparency becomes large as the elapsed time become long.

Berezovsky shows controller displays such that a difference in transparency becomes large as the elapsed time becomes long (abstract, Fig 1 – Fig 3; Col 4, lines 40 – Col 6, lines 30).

It would have been obvious for one of ordinary skill in the art, to provide transparency variation means with respect to time for display, as taught by Berezovsky, to Yoshida, in order to provide improved visual signification at the time of the invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IAN JEN whose telephone number is (571)270-3274. The examiner can normally be reached on Monday - Friday 9:00-6:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ian Jen/
Examiner, Art Unit 3664
/Khoi H Tran/
Supervisory Patent Examiner, Art Unit 3664